

POTPOURRI

Department of Environmental Quality

General Air Permit Template Modification for the Proposed Part 70 General Air Operating Permit; Initial, Modification or Renewal (0705Pot3)

The Louisiana Department of Environmental Quality (LDEQ), Office of Environmental Services, is accepting written comments on the modification of the generic template for the Part 70 General Air Operating Permits. The General Air Permit for the qualifying facility can be issued for an Initial, Modification or Renewal for any company, located in the State of Louisiana. The facility can be located in any Parish of the state.

The “Facility Specific Requirements” section in the proposed General Air Permit Template contains the universe of regulations that may apply to the facility and associated equipment. The General Permit Briefing Sheet and associated Facility-Specific Requirements comprise the generic template for all the general air permits to be issued by the Department. On a site specific basis, this generic template will be modified to describe the facility process and list only those regulations that apply to the facility requesting this General Air Permit.

The public is invited to comment on the list of regulations and the language of each specific requirement which will be available for use in issuing General Air Permits. This general permit incorporates several new regulations. A listing of the regulations added at this time can be found in the Preamble to the Statement of Basis.

1. The permitting authority may issue a general permit intended to cover numerous similar sources or activities. General permits shall be issued in accordance with LAC 33:III.519 and, prior to issuance, shall undergo public notice and review by affected states and EPA in accordance with LAC 33:III.531 and 533. Each general permit shall incorporate terms and conditions applicable to sources which would qualify for the general permit. Any general permit shall identify criteria by which sources may qualify for the general permit, and may provide for applications which deviate from the requirements of LAC 33:III.517.

2. The owner or operator of any source which would qualify for the general permit may apply for authorization to operate under the general permit. The application must include all information necessary to determine qualification for and to assure compliance with the general permit. The owner or operator shall publish a notice of the application in a newspaper of general circulation in the local area where the source is or would be located.

3. The permitting authority may approve an owner or operator's application for authorization to operate under the general permit without repeating the public participation procedures. Such an approval shall not be a final permit action for purposes of judicial review regarding the terms and conditions of the general permit.

4. Any source which is issued the general permit shall, notwithstanding a permit shield, be subject to enforcement action for operation without a permit if the source is later determined not to qualify for the general permit.

5. General permits shall not be issued for affected sources under the Acid Rain Program established pursuant to Title IV of the Clean Air Act.

The proposed "General Permit Facility Specific Requirements" section contains the universe of regulations that may apply to the facility and associated equipment. If any regulation applies to any facility or associated emission source, and is not part of the attached specific conditions, then that facility cannot be granted a General Permit. An exception to this is when there is a specific condition that meets all of the requirements of being a state only requirement. This excludes federally enforceable specific conditions or limitations. The General Permit Statement of Basis provides additional information regarding how a facility specific General Permit contains only those regulations that apply to the specific facility and its associated emission sources.

A technical review of the working draft of the proposed permit was submitted to the facility representative and the LDEQ Surveillance Division. Any remarks received during the technical review will be addressed in the "Worksheet for Technical Review of Working Draft of Proposed Permit." All remarks received by LDEQ are included in the record that is available for public review.

Written comments, written requests for a public hearing or written requests for notification of the final decision regarding this permit action may be submitted to Ms. Soumaya Ghosn at LDEQ, Public Participation Group, Box 4313, Baton Rouge, LA 70821-4313. Written comments and/or written requests must be received by 12:30 p.m., Thursday, June 21, 2007. Written comments will be considered prior to a final permit decision.

If LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The proposed General Permit Briefing Sheet, General Information Report, Inventories Report, Facility Specific Requirements, and Statement of Basis are available for review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8 a.m. to 4:30 p.m., Monday through Friday (except holidays). The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.

Additional copies may be reviewed at the Parish Library Headquarters in each parish of the state. The material can also be viewed at the Calcasieu Parish Library, Sulphur Regional Branch, 1160 Cypress Street, Sulphur, LA 70663-5111 and the Morgan City Public Library, 220 Everett Street, Morgan City, LA 70380.

Inquiries or requests for additional information regarding this permit action should be

directed to Kermit Wittenburg, LDEQ, Air Permits Division, Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3100.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, Box 4313, Baton Rouge, LA 70821-4313, by email at deqmaillistrequest@la.gov or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Permit public notices including electronic access to the proposed permit, statement of basis and associated information can be viewed at the LDEQ permits public notice webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at:

www.deq.louisiana.gov/portal/tabid/2198/Default.aspx.

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at:

http://www.doa.louisiana.gov/oes/listservpage/ldeq_pn_listserv.htm.

All correspondence should specify AI Number 122793, Permit Number General Title V Air Permit, and Activity Number PER20060001.

Herman Robinson, CPM
Executive Counsel